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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,567	10/17/2003	Susan B. Cirulli	END920030049US1	2492
23550	7590	05/17/2006	EXAMINER	
HOFFMAN WARNICK & D'ALESSANDRO, LLC 75 STATE STREET 14TH FLOOR ALBANY, NY 12207				AIRAPETIAN, MILA
ART UNIT		PAPER NUMBER		
				3625

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/688,567	CIRULLI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mila Airapetian	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 17 October 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-26 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 17 October 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____ .  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/17/2003</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____ .                                  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the following limitation "the location setting comprises a geographic location and a requestor responsibility". It is not clear what does the word *responsibility* means in this context.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**Claims 1-6, 8-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guo et al. (US 2005/0120121).**

#### **Claim 1.**

Guo et al. (hereinafter Guo) teaches a method for routing between network servers comprising:

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receiving a request for a first item from a requestor [0009]; identifying a back-end system from a set of back-end systems for processing the request, wherein the back-end system is identified based on the first item and a location setting within a profile corresponding to the requestor [0022], [0036], [0043].

Guo does not explicitly teach limiting a request for a second item by the requestor to an item associated with the identified back-end system.

However, Guo teach that the authentication server redirects client computer system to affiliate server where the user selected a *different* server [0046].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Guo to include that said "authentication server redirects client computer system to affiliate server where the user selected a *different* server" includes limiting a request for a second item by the requestor to an item associated with the identified back-end system, because it would advantageously allow to provide the user with a particular services which depend on the user's domain [0007].

**Claim 2.** Guo teaches said method further comprising establishing the profile, prior to the receiving step [0023].

**Claim 3.** Guo teaches said method further comprising: associating the requestor with a set of available items to request and with the set of back-end systems based on the location setting [0043]; and providing the set of available items to the requestor, prior to the receiving step [0043].

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**Claim 4.** Guo teaches said method wherein the location setting comprises a geographic location and a requestor responsibility (successful authentication indicates responsibility of the requestor) [0043].

**Claim 5.** Guo teaches said method further comprising routing the request for the first item to the identified back-end system for processing [0043].

**Claim 6.** Guo teaches said method further comprising receiving the request for the second item from the requestor (the authentication server redirects client computer system to affiliate server where the user selected a *different* server [0046]).

**Claim 8.** Guo teaches said method further comprising: processing the request for the first item with the identified back-end system [0009].

Guo does not explicitly teach communicating with a supplier to obtain the first item. However, Guo teach routing client computer to the *appropriate* affiliate server for performing a desired service for the user [0022]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Guo to include that said routing client computer to the *appropriate* affiliate server includes communicating with a supplier to obtain the first item, because it would advantageously allow to fulfill the customer order.

**Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guo in view of Marks (US 6,876,977).**

**Claim 7.** Guo teaches all the limitations of claim 7 except displaying an error message if the second item is not associated with the identified back-end system.

Marks teaches a method for conducting business-to-business electronic commerce over the Internet wherein an error message is displayed if an item is not available (col. 16, lines 46-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Guo to include that an error message is displayed if an item is not available, as disclosed in Marks, because it would advantageously allow to provide a feed back in response to the customer input, thereby enhancing customer service.

**System claims 9-17** repeat the subject matter of method claims 1-8 respectively, as a set of apparatus elements rather than a series of steps. As the underlying processes of claims 1-8 have been shown to be fully disclosed by the teachings of Guo and Marks in the above rejections of claims 1-8, it is readily apparent that the system disclosed by Guo and Marks includes the apparatus to perform these functions. As such, these limitations are rejected for the same reasons given above for method claims 1-8, and incorporated herein.

**Claim 18-26** are rejected on the same rationale as set forth above in Claim 1-8.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(i) US 6,823,391 to Deen et al. discloses routing client requests to back-end servers.

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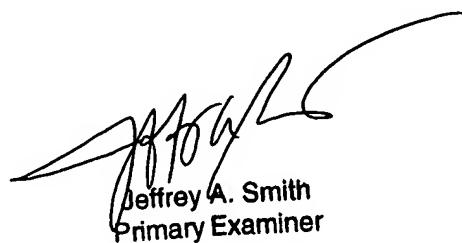
(ii) US 2002/0174247 to Shen discloses a system and method for dynamic routing to service providers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mila Airapetian whose telephone number is (571) 272-3202. The examiner can normally be reached on Monday-Friday 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on (571) 272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MA



Jeffrey A. Smith  
Primary Examiner